

NEIGHBORHOOD PLAN AMENDMENT REVIEW SHEET

NEIGHORHOOD PLAN: Heritage Hills/Windsor Hills Combined Neighborhood Plan

CASE#: NPA-2012-0028.01 **Date Filed:** June 12, 2012 (Out-of-cycle)

PC DATE: September 25, 2012

CC DATE: October 18, 2012

ADDRESS: 10625 Dessau Road

SITE AREA: Approx. 1.291 acres

APPLICANT/AGENT: Alai Villeda

OWNER: Roberto Villeda

TYPE OF AMENDMENT:

Change in Future Land Use Designation

From: Single Family

To: Multi-Family

Base District Zoning Change

Related Zoning Case: C14-2012-0064

From: SF-2-NP **To:** MF-2-NP

NEIGHBORHOOD PLAN ADOPTION DATE: January 24, 2011

PLANNING COMMISSION RECOMMENDATION: The motion to approve staff's recommendation of High Density Single Family was approved on the consent agenda by Commissioner Chimenti's motion, Commissioner Stevens seconded the motion on a vote of 8-0; 1 Absent (Hatfield).

STAFF RECOMMENDATION: Staff recommends High Density Single Family rather than Multi-Family as the appropriate land use for this tract located along the west side of Dessau Road.

The Heritage Hills/Windsor Hills Combined Neighborhood Plan recommends the following Goals, Objectives, and Recommendations for this portion of Dessau Road:

Objective L1: Preserve the existing core single family residential neighborhoods in the HHWHCNPA. (pg. 39)

REC 1: Preserve the existing residential character within established core single family neighborhoods in the Planning Area. (pg 39)

REC 2: Consider existing residential densities and current housing stock in future land use decisions to promote compatibility between land uses, including but not limited to: building height, massing, and impervious surface coverage. (pg 39)

Objective L2: Preserve the diversity of housing options and various levels of affordability, which are dispersed throughout the Planning Area (i.e. – single family, duplexes, condominiums, apartment buildings, senior living options, and a mobile home park.) (p. 41)

REC 25: Support high quality, aesthetically appealing businesses, housing developments, and industrial areas, which strongly emphasize appealing building and landscape design. (p. 41)

Large Undeveloped High Density Single Family Parcel on Dessau Road

The desire of the community regarding this area is to preserve the existing single family neighborhood as well as the current look and feel in the Windsor Hills NPA, located around Dessau Road, just north of E. Applegate Drive. (pg. 47)

REC 30: Support the undeveloped high density single family parcel at the eastern terminus of Claywood Drive going to a lower density single family land use in the future, if possible, to match the character of the surrounding parcels. (pg. 47)

REC 31: Support low density single family land uses for other vacant parcels in the E. Applegate Drive/Dessau Road vicinity. (pg. 47)

STAFF ANALYSIS: The Heritage Hills/Windsor Hills Combined Neighborhood Plan and the Future Land Use Map supports keeping this property designated as Single Family. However a traffic count taken along this portion of Dessau Road in 2006, showed that approximately 33,698 vehicles travel along this corridor every day. Staff believes that the high traffic count along makes this property appropriate for High Density Single Family rather than Single Family. Additionally, there is already a property located south of subject property, along Dessau Road, which is already designated High Density Single Family. Analyzing the applicants desire for a Multi-Family land use designation, there are no other apartment complexes located anywhere near this property along this portion of Dessau Road and this request would qualify as spot zoning. As for the Imagine Austin Comprehensive Plan, the Growth Concept Map identifies this portion of Dessau Road as an 'Activity Corridor' which is defined as, *"an area where an increased density of people, jobs, businesses, and services will be located. However, due to it linear nature the people, jobs, and services will be located along the length of the corridor. A corridor's character will depend on factors such as road width, traffic volume, the size and configuration of lots, and existing uses. Along different segments of these corridors, there may be multi-story mixed-use*

buildings, apartment buildings, shops, public uses, offices, as well as townhouses, rowhouses, duplexes, and single-family houses."

Based on the above analysis, staff recommends High Density Single Family as an appropriate use for the subject property, rather than Multi-Family.

BACKGROUND: The application was filed out of cycle on June 28, 2012. The Villeda Family wants to build a 19 unit, two story tall apartment building on the property. They want to build, own and manage the proposed apartment complex.

COMMUNITY MEETING: The ordinance-required plan amendment meeting was held on August 15, 2012. Approximately 110 notices were mailed to property and utility account holders located within 500 feet of the property, in addition to neighborhood organizations and environmental groups registered on the Community Registry. Approximately 12 people attended the meeting in addition to one city staff member.

City of Austin staff member, Kathleen Fox, gave a power point presentation on the subject property, showing its location and surrounding land uses and the proposed rezoning from SF-2 to MF-2.

Mr. Alai Villeda discussed how their family owned a janitorial service and wanted to develop their property, 10625 Dessau Road, which they had owned for many years so they could move into a different line of business. He discussed how they wanted to build and manage a 19 unit, two story tall apartment building, which would mostly include 2 bedroom/2 bath units. Rents would range from \$850 to \$950 a month and be market rate housing. He stated that their family wanted to create a homey, comfortable apartment building, which would not disturb nearby residential properties. He discussed how he had spoken with the zoning planner about possibly going to SF-6, but they wanted the density that MF-2 permitted, which allowed them to build 19 units (MF-2 allows up to 23 units an acre).

Discussion Issues:

- An audience member discussed their concerns about cut through traffic going down E Applegate Drive and also Ruby Lane, when it opened and how this project would increase the amount of cut through traffic going through their neighborhood. They explained how cars sped down East Applegate Drive at excessive rates of speed and had almost run over people and had totaled parked cars. Mr. Villeda stated that he had no control over cut through traffic and wanted to build a homey property, which would not disturb nearby residential properties.
- An audience member discussed how they were concerned that children living in the apartment complex would have a hard time walking to school because they would have to walk down Dessau Road and feared these children would be killed or injured. Mr. Villeda discussed how he had no control over hypothetical issues.
- A representative from the Collinwood West Subdivision, located directly to the west of the subject property, discussed how Dessau Road was used as a freeway. He discussed how there was lot of speeding going down Dessau Road from people living in Pflugerville, the excessive amount of cut-through traffic from nearby streets, and how this

apartment complex would compound these issues. He discussed how it would be difficult for people drive in and out of the Villeda property because of big blind spot located north of the subject on Dessau Road, which could cause major accidents. He discussed how people driving down Dessau Road could not see anyone entering or exiting the Villeda property because of the hill. Mr. Villeda discussed how they would work with the City and a traffic engineer and meet all requirements. He also discussed how he was also exploring the possibility with his engineer about installing a turn lane in the Dessau Road median so people who lived in the complex could directly turn into the entrance to the property. Several audience members said this would be dangerous.

- Other audience members also reiterated their concerns about cut through traffic, children being injured walking to school along Dessau Road, the blind spot on Dessau Road, people speeding down Dessau Road, and the proposed road diet on Dessau Road that would cut the lanes from 6 lanes to 4 lanes.
- An audience member asked how many units zone SF-6 permit. Ms. Fox stated that SF-6 would permit townhouses, condominiums and small urban homes, up to 13 units an acre. An audience member asked if the property was zoned SF-6, could the units be sold. Mr. Villeda said they did not want to sell the units and they would have more control over the tenants and the property if they owned and managed the property.
- An audience member discussed how they did not have an issue with the quality of the development but an issue with traffic and density that this apartment building would cause.
- Ms. Fox asked at the end of the meeting if there were any other concerns besides traffic, speeding, and cut through traffic regarding this request.
- An audience member, who lived behind the subject property in a single family house, stated they were concerned about noise coming from the apartment units, which could disturb them. Mr. Villeda stated that their tenants would be thoroughly vetted to ensure that none of them caused any issues relating to noise or crime. Mr. Villeda discussed how he understood the neighborhoods concerns about traffic and reiterated how they would work with a traffic engineer.
- An audience member stated that rezoning this property to multi-family would set a precedent and they wanted the property to stay single family.
- An audience member asked how they would finance a project of this scale. Mr. Villeda stated they had the means to finance their project.

The meeting adjourned at 7:45 PM.

CONTACT TEAM:

In an attached email, the Heritage Hills/Windsor Hills Neighborhood Plan Contact Team supports the zoning change from SF-2 to MF-2 (see attached letter)

CITY COUNCIL DATE: October 18, 2012

ACTION: (pending)

CASE MANAGER: Kathleen Fox

PHONE: 974-7877

EMAIL: kathleen.fox@austintexas.gov



Subject Property: 10625 Dessau Road



Adjoining property on corner of Dessau Rd and Collinwood West Dr (going North)



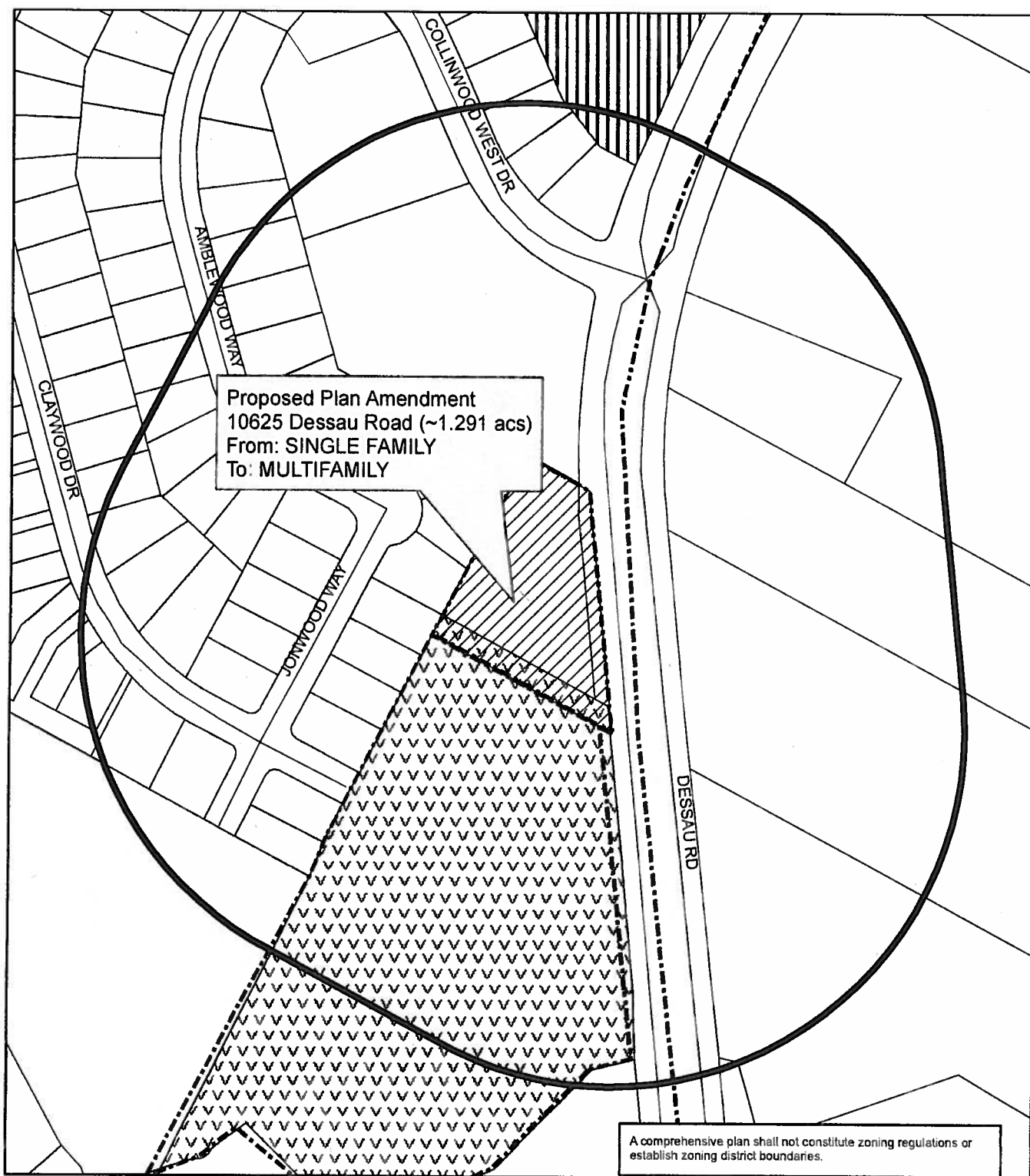
Adjoining property on Dessau Road (going South)



Property across the street from the subject property on Dessau Rd (going East)



Adjoining properties on Jonwood Way (in rear of subject property, going West)



Heritage Hills/Windsor Hills Neighborhood Plan NPA-2012-0028.01

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by the Planning and Development Review for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



City of Austin
Planning and Development Review Department
Created on 07/24/2012_ M Meredith



Legend

500ft notification boundary

Future Land Use Categories

Single-Family

Higher-Density Single-Family

Civic



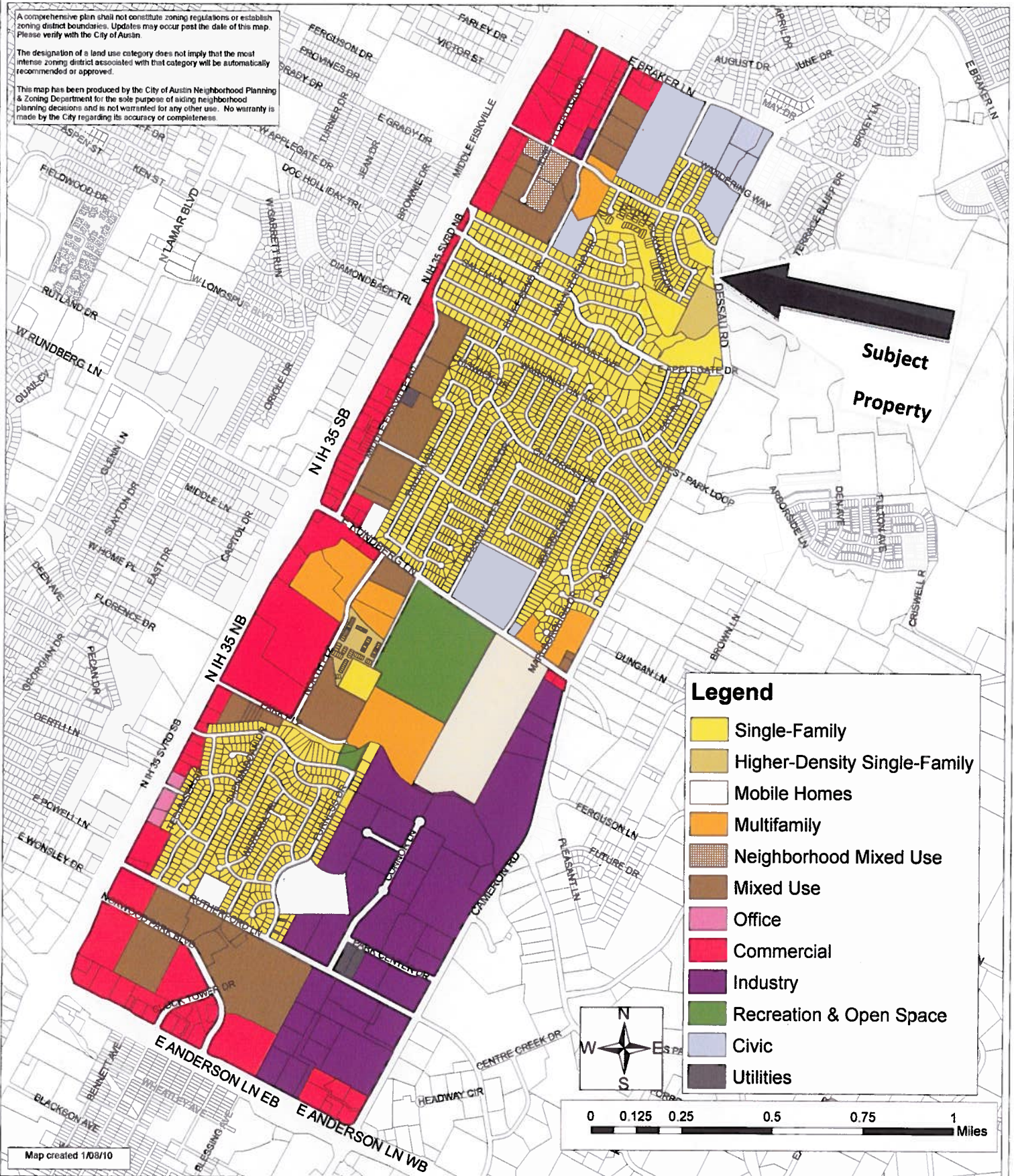
Heritage Hills/Windsor Hills Combined Neighborhood Planning Area Draft Future Land Use Map - 1/13/10

Plan Adopted:
Map Updated:

A comprehensive plan shall not constitute zoning regulations or establish zoning district boundaries. Updates may occur past the date of this map. Please verify with the City of Austin.

The designation of a land use category does not imply that the most intense zoning district associated with that category will be automatically recommended or approved.

This map has been produced by the City of Austin Neighborhood Planning & Zoning Department for the sole purpose of aiding neighborhood planning decisions and is not warranted for any other use. No warranty is made by the City regarding its accuracy or completeness.



Heritage Hills/Windsor Hills Neighborhood Plan Contact Team
Austin, Texas 78751


17
April 14, 2012

City of Austin,

This is a letter of approval concerning the acre property located on Dessau Road. The Heritage Hills/Windsor Hills Neighborhood Plan Contact Team approves and supports the zoning change from Single Family 2 to Multiple Family 2 at the acre property located on Dessau Road, owned by Roberto Villeda.

Due to the nature of the City of Austin's zoning change deadlines and the time schedule of this request, we agree for this request to be submitted out of cycle. If you have any questions and or concerns please feel free to contact us.

Thank you,


Linda Krueger
HHWH Contact Team Secretary


Roberto Villeda

PUBLIC HEARING INFORMATION

The proposed amendment will be reviewed and acted upon at two public hearings: first, before the Planning Commission and then before the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed amendment. You may also contact a registered neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a plan amendment request, or approve an alternative to the amendment requested.

If you have any questions concerning this notice, please contact the City of Austin Planning and Development Review Department at the number shown on the first page. If you would like to express your support or opposition to this request, you may do so in several ways:

- by attending the Public Hearing and conveying your concerns at that meeting
- by submitting the Public Hearing Comment Form
- by writing to the city contact listed on the previous page

For additional information on Neighborhood Plans, visit the website: www.austintexas.gov/planning/.

PUBLIC HEARING COMMENT FORM

If you use this form to comment, it may be submitted to:

City of Austin
Planning and Development Review Department
Kathleen Fox, 512-974-7877
P. O. Box 1088
Austin, TX 78767-8810

If you do not use this form to submit your comments, you must include the name of the body conducting the public hearing, its scheduled date, the Case Number and the contact person listed on the notice in your submission.

Case Number: NPA-2012-0028.01
Contact: Kathleen Fox, 512-974-7877
Public Hearing: Sep 25, 2012, Planning Commission
Oct 18, 2012, City Council

☐ I am in favor
☒ I object

Bernard Chapo
Your Name (please print)

10701 Claywood Dr.
Your address(es) affected by this application

B. Chapo
Signature

Sep 16/12
Date

Comments:

I object to the
Development of this project.

PUBLIC HEARING INFORMATION

The proposed amendment will be reviewed and acted upon at two public hearings: first, before the Planning Commission and then before the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed amendment. You may also contact a registered neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a plan amendment request, or approve an alternative to the amendment requested.

If you have any questions concerning this notice, please contact the City of Austin Planning and Development Review Department at the number shown on the first page. If you would like to express your support or opposition to this request, you may do so in several ways:

- by attending the Public Hearing and conveying your concerns at that meeting
- by submitting the Public Hearing Comment Form
- by writing to the city contact listed on the previous page

For additional information on Neighborhood Plans, visit the website: www.austintexas.gov/planning/.

PUBLIC HEARING COMMENT FORM

If you use this form to comment, it may be submitted to:

City of Austin
Planning and Development Review Department
Kathleen Fox, 512-974-7877
P. O. Box 1088
Austin, TX 78767-8810

If you do not use this form to submit your comments, you must include the name of the body conducting the public hearing, its scheduled date, the Case Number and the contact person listed on the notice in your submission.

Case Number: NPA-2012-0028.01
Contact: Kathleen Fox, 512-974-7877
Public Hearing: Sep 25, 2012, Planning Commission
Oct 18, 2012, City Council

☐ I am in favor
☒ I object

Helen Kinneman
Your Name (please print)

10607 Jonwood Way
Your address(es) affected by this application

Signature

9/17/12
Date

Signature

Date

Comments:

(environmental negative)

This is too close to Walnut Creek
& our subdivision is already
surrounded by senior care commercial
businesses, & retail centers.
Do not need more. 52 units
to further devalue our properties.

Thank you

PUBLIC HEARING COMMENT FORM

If you use this form to comment, it may be submitted to:

City of Austin

Planning and Development Review Department

Kathleen Fox, 512-974-7877

P. O. Box 1088

Austin, TX 78767-8810

If you do not use this form to submit your comments, you must include the name of the body conducting the public hearing, its scheduled date, the Case Number and the contact person listed on the notice in your submission.

Case Number: NPA-2012-0028.01

Contact: Kathleen Fox, 512-974-7877

Public Hearing: Sep 25, 2012, Planning Commission
Oct 18, 2012, City Council

Gregory H Hees

Your Name (please print)

☐ I am in favor
☒ I object

10703 Jonwood Way

Your address(es) affected by this application

Signature

Date

Comments:

Turning in and out
of the Collingwood subdivision
is very dangerous. This is
due to excessive speeds &
somewhat of a blind turn. Numerous accidents
have occurred here during
our 13 years of residence.